

Application No. **78781**

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA**

THIS SPACE FOR OFFICE USE ONLY

Date of Filing in State Engineer's Office AUG 07 2009

Returned to applicant for correction _____

Corrected Application filed _____ Map filed _____

The applicant Rightway Investments Smith Valley, LLC
5945 Los Altos Parkway, Suite 101 of Sparks
Street Address or P.O. Box City or Town
Nevada 89436 hereby make(s) application for permission to appropriate the
State and ZIP Code

public waters of the State of Nevada, as hereinafter stated. (If applicant incorporation; if a copartnership or association give names of members.)

February 22, 2005 - State of Nevada

1. The source of water is Underground Sources
Name of the stream, lake, underground, spring or other sources.

2. The amount of water applied for is 4.50 cfs
One second foot equals 448.83 gallons per minute.

(a) If stored in a reservoir give the number of acre-feet _____

3. The water is to be used for Irrigation and Domestic Purposes
Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated 1,210 acres

(b) Stockwater, state number and kind of animals _____

(c) Other use (describe fully in No. 12) _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

107-LY

5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)

NW1/4 NW1/4 Section 3 T12N R23E, MDM

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

Refer to attached Exhibit "A" - Proposed Place of Use

7. Use will begin about January 1st and end about December 31st of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with a pump and motor, etc.)

Drilled and cased well, equipped with motor, pump, totalizing meter, pipeline and irrigation system

9. Estimated cost of works: \$80,000.00

10. Estimated time required to construct works: 3 years

(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 6 years

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

New irrigation wells will be drilled and equipped to provide water to land owned by the Applicant. The applicant is currently irrigating lands within northerly sub-basin of Smith Valley and will place additional land into production under this application.

13. Miscellaneous remarks:

The total combined duty under Application to Appropriate Nos. will be 4,840.0 acre feet based on the irrigation of 1,210 acres at a duty of 4.0 acre feet per acre.

mike@mbuschelman.com

E-mail Address

(775) 355-9628

Phone No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Michael D. Buschelman

Michael D. Buschelman
Type or print name clearly

Signature, applicant or agent

Michael D. Buschelman Consulting, Inc.

Company Name

Post Office Box 51371

Street Address or PO Box

Sparks, Nevada 89435

City, State, ZIP Code

Application No: **78781**

EXHIBIT "A"
ITEM NO. 6
PROPOSED PLACE OF USE

Refer to Map filed under 74804 to support this Application.

T13N, R24E SECTION 19 - SW1/4, NW1/4SE1/4, S1/2SE1/4;
SECTION 30 - N1/2, N1/2S1/2;
T13N, R23E SECTION 24 - SE1/4, SE1/4SW1/4;
SECTION 25 - NW1/4NW1/4, S1/2NW1/4, NE1/4, SW1/4, W1/2SE1/4;
SECTION 26 - ALL;
SECTION 27 - S1/2NE1/4, SE1/4, SE1/4SW1/4;
SECTION 34 - E1/2NW1/4, NE1/4, NW1/4SE1/4, NE1/4SW1/4,
S1/2SW1/4;
SECTION 35 - N1/2N1/2, SW1/4NW1/4;

T12N, R23E SECTION 3 - NW1/4, N1/2SW1/4;
SECTION 4 - PORTION OF NE1/4SE1/4.

Refer to Lyon County Assessors Parcel Numbers:

| | | | |
|-----------|-----------|-----------|-----------|
| 10-011-03 | 10-011-04 | 10-011-10 | 10-011-11 |
| 10-011-12 | 10-011-13 | 10-011-14 | 10-011-15 |
| 10-011-16 | 10-011-17 | 10-011-18 | 10-011-19 |
| 10-011-20 | 10-011-21 | 10-011-22 | 10-011-23 |
| 10-011-24 | 10-011-25 | 01-011-26 | 10-011-27 |
| 10-011-32 | 10-011-34 | 10-011-35 | 10-011-37 |